IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 18948 of 2007(E)

PETITIONER:

M/S.TRAVANCORE MATS & MATTING COMPANY,
CHERTHALA, A PARTNERSHIP FIRM, REPRESENTED BY
ITS PARTNER SRI.V.V.PAVITHRAN.

BY ADV. SRI.E.P.GOVINDAN

RESPONDENTS:

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1. THE ASSISTANT COMMISSIONER (ASSMT),
COMMERICAL TAXES, SPECIAL CIRCLE, ALAPPUZHA.

2. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM.]

3. INSPECTING ASST., COMMISSIONER,
COMMERCIAL TAXES, ALAPPUZHA.

4. STATE OF KERALA REPRESENTED BY SECRETARY
TAXES DEPARTMENT, GOVERNMENT SECRETARIAT,
TRIVANDRUM.

BY ADV. SHRI.C.K.GOVINDAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 18948/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF NOTICE DATED 08/06/2007 ISSUED BY 3RD RESPONDENT.

P2 : COPY OF LETTER DATED 01/03/2007 BY THE PETITIONER BEFORE 1ST RESPONDENT.

P3 : COPIES OF APPELLATE AND TRIBUNAL ORDERS.

P4 : COPY OF THE ASSESSMENT ORDER FOR THE YEARS 2002-03 DATED 30/11/2006.

P5 : COPY OF APPEAL MEMORANDUM DATED 02/03/2007 FILED BEFORE THE 2ND RESPONDENT.

P6 : COPY OF STAY PETITION.

P7 : COPY OF EARLY HEARING PETITION FILED BY THE PETITIONER.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 18948 of 2007

Dated, this the 18th day of September, 2007

J U D G M E N T

Since petitioner has complied with interim order dated 20/06/2007 by remitting Rs. 3 lakhs and the balance due, after giving credit for the amount already paid, is disputed tax, this writ petition is disposed of directing 2nd respondent to dispose of the appeal within three months from the date of production of a copy of this judgment by the petitioner for compliance. Recovery proceedings will remain stayed for three months from now and thereafter recovery will be based on orders in appeal. There will be direction to the respondents not to recover collection charges if payments are voluntarily made by the petitioner.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg